

Arizona Developmental Disabilities Planning Council Legislative Update: March 15, 2013

The legislature is in its 60th day and has passed ten of 1,145 bills introduced. About 59 of these bills had potential to relate to the Arizona Developmental Disabilities Planning Council interests, but only about 20 of these have had hearings since February 14. All the others are “dormant,” but not dead.

Seventeen of these bills have moved from one house to the other for action. This report reflects only these bills, with the addition of the significant bill relating to the waiver of license fee for service dogs. We will continue to track all 59 bills off line and add any to this report that begin to move (see the matrix below for details).

The likelihood of bills becoming law begins to decrease as the session continues. A week from Friday (March 22) is the last day either the Senate or the House can consider bills from the other chamber; however, new measures can be introduced either using by using a “Strike Everything Amendment” (Striker) or by including the measure in the budget. Deadlines for committee consideration of bills and for final adjournment are set by House and Senate rules and can be changed by a vote of the members.

In the coming days you will almost certainly see more information regarding Governor Brewer’s budget proposal, the most controversial component of which is the highly discussed Medicaid expansion. The plan brought forward would bring in \$1.6 billion dollars in federal funding in fiscal year 2015. In so doing it would bring approximately 400,000 additional people under this form of medical coverage. The expansion has the potential to include more childless adults into the system. Eligibility under AHCCCS would be for everyone earning less than 133 percent of the federal poverty level or just less than \$15,000.00 per year. Without this expansion, approximately 50,000 Arizonans will be dropped when a federal waiver expires on December 31, 2013. The Arizona Health Care Cost Containment program is the one assigned with the role of running these services. It is a large and well-respected entity that was designed in our state to assist our citizens. The controversy about this proposal is the federal ‘match’ monies that would come back in part to us from taxes collected from Arizonans. There is a lot of conversation about whether the federal government and the current administration will live up to paying on a permanent basis the ‘match’ that they have promised to pay into Arizona. There

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is a part of the Governor's proposal that says that if our federal match support falls below 80%, then Arizona can walk away or stop being a part of this program. Some of the compromise language includes: AHCCCS is to explore ways to pass along some costs to patients through co-payments or other fees; it also sets up a legislative committee to review how to assess hospital fees; it encourages public input on a hospital provider tax. We will track as closely as we can the components and progress of this.

Reminder: You may be interested in following more closely one of more of the bills that are of special interest to you or that may have an impact on you, a family member, a friend, or neighbor. If you want to begin doing this, simply type the address www.azleg.gov into your computer 'internet browser' (the main block at the top of your computer screen), or search for the phrase 'Arizona State Legislature' and click on the link to the official AZ Legislature web-site (usually the first result).

Please let us know how we can make this report more useful for you (lclausen@azdes.gov).

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Bill Status Summary Table**March 15, 2013**

Key:

Passed	In Progress	Failed
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Please refer to the Glossary at the end of the document for definitions of unfamiliar terms.

* Indicates items new to the report this week

BILLS RELATED TO DEVELOPMENTAL DISABILITY ISSUES			
Bill Number	Sponsor	Brief Description	Status
HB 2042 Fact Sheet	Representative H. Carter (REP)	<p>Technical correction; home health agencies</p> <p>Now: Schools, Pupils with Diabetes</p> <p>Allows voluntary diabetes care assistants to administer or assist a pupil self-administer insulin in an emergency situation under certain circumstances.</p>	<p>Passed House 3/5/13.</p> <p>Assigned to Senate Education Committee and Health & Human Services Committee.</p> <p>Senate second read: 3/7/13</p> <p>3/14/13 Recommendation: Do Pass</p>

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2044 Fact Sheet	Representative H. Carter (REP)	Arizona Health Care Cost Containment System (AHCCCS); Continuation. Extend the AHCCCS system for 10 more years to July 1, 2023.	Passed House 2/13/13. Assigned to Senate Health & Human Services Committee. Senate second read: 2/20/13 2/27/13 Recommendation: Do Pass 3/5/13: Majority Caucus Y; Minority Caucus Y
HB 2047 Fact Sheet	Representatives: D. Goodale (REP); P. Boyer (REP)	AIMS Replacement□ Effective July 1, 2014, the Arizona Instrument to Measure Standards (AIMS) test is eliminated and replaced with a competency test adopted by the State Board of Education	Passed House 2/5/13. Assigned to Senate Education Committee and Government and Environment Committee. Senate second read 2/20/13
HB 2066 Fact Sheet	Representatives H. Carter (REP); K. Brophy McGee (REP);	Definitions; Archaic Language; Removal Makes various changes to definition sections of current ARS in order to remove archaic language.	Passed House 2/6/13 Assigned to Senate Health and Human Services Committee. Senate second read 2/20/13 2/27/13 Recommendation: Do Pass

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB2089 Fact Sheet	Representatives: K. Brophy McGee (REP); H. Carter (REP)	AHCCCS; Chronically Ill Children Amends or changes a variety of sections of the current statutes related to ACHHS.	Passed House 2/28/13 Assigned to Senate Health & Human Services Committee Senate second read: 3/5/13
HB2091 Fact Sheet	Representatives: K. Brophy McGee (REP); H. Carter (REP)	AHCCCS; Orthotic Services; Restoration Amends or changes services related to the AHCCCS system.	Passed House 3/6/13 Assigned to Senate Health & Human Services Committee and Appropriations Committee. Senate first read: 3/7/13
HB 2144 Fact Sheet	Representatives: K. Brophy McGee (REP); C. Miranda (DEM); H. Carter (REP); D. Goodale (REP)	Child Protective Services Amends or changes the current ARS that defines the purpose of this agency to include investigations, safety matters, cooperative work with law enforcement agencies, coordination of permanent solutions on behalf of all children.	Passed House 2/28/13 Assigned to Senate Health & Human Services Committee Senate second read: 3/5/13 Recommendation: Do Pass with amendments 3/13/13

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2158 Fact Sheet	Representative J. Kavanagh (REP).	Court-ordered Evaluations This bill is an emergency measure that allows a peace officer (officer) to detain a person who is believed to be a danger based on probable cause.	Passed House 2/28/13 Assigned to Senate Public Safety Committee Senate second read: 3/5/13 Recommendation: Do Pass 3/13/13
HB 2161 Fact Sheet Pending	Representatives: C. Campbell (DEM); E. Meyer (DEM), B. Wheeler (DEM), M. A. Cardenas (DEM), A. Delessandro (DEM); D. McCune Davis (DEM)	License Fee; Service Dogs; Waiver Amends or changes the language in the Arizona Revised Statutes on the process of animal registration and control.	Assigned to Agriculture and Water Committee. House second read: 1/23/13
HB 2259 Fact Sheet	Representatives T. Forese (REP); S. Montenegro (REP); W. Peterson (REP); J. Dial (REP); T.J. Shope (REP)	Vocational Rehabilitation; Prosthetic Appliances; Orthodontics NOW: Orthodontic devices; Transaction Privilege Tax For the purposes of vocational rehabilitation, the definition of "prosthetic appliance" is expanded to include orthodontic appliances.	Passed House with Amendments 2/27/13 Assigned to Senate Finance Committee. Senate second read: 3/4/13 3/6/13 Recommendation: Do Pass

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2401 Fact Sheet	Representative H. Carter (REP)	Service Animal; Definition. Amends or changes the Arizona Revised Statutes related to the handling of animals.	Passed House 2/26/13 Assigned to Senate Commerce Energy & Military Committee and Senate Health & Human Services Committee. Senate second read: 2/28/13 3/6/13 & 3/13/13 Recommendation: Do Pass
HB 2458 Fact Sheet	Representatives: P. Boyer (REP); J. Allen (REP); J. D. Mesnard (REP); J. Olson (REP); B. Robson (REP); K. Townsend (REP); S. Yarbrough (REP);	Empowerment Scholarship Accounts; Fraud Prevention Outlines additional policies that the Arizona Department of Education (ADE) can adopt to monitor fraudulent activity in Empowerment Scholarship Accounts (ESA), and details what constitutes fraudulent use of an ESA.	Passed House 2/19/13. Assigned to Senate Education Committee. Senate second read: 2/25/13 2/28/13 Recommendation: Do Pass with amendments. 3/5/13 Majority Caucus Y; Minority Caucus Y

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2476 Fact Sheet	Representatives K. Townsend (REP); S. Borrelli (REP); A. Kwasman (REP); D. Lesko (REP); W. Peterson (REP); D. Stevens (REP);	Schools; Isolation Rooms; Restrictions This law amends or changes the Arizona Revised Statutes relating to pupil discipline.	Passed House 2/26/13 Assigned to Senate Education Committee. Senate second read: 2/28/13 3/7/13 Recommendation: Do Pass with amendments.
SB 1090 Fact Sheet	Senators: L. Landrum Taylor (DEM); D. Bradley (DEM); K. Hobbs (DEM); L. Lopez (DEM); B. McGuire (DEM); A. Tovar (DEM); N. Barto (REP); J. Burges (REP); R. Murphy (REP); K. Yee (REP); Representative C. Miranda (DEM);	Dependent Children; Placement; Grandparents; Stipend Restores a monthly stipend and other benefits to grandparents and great grandparents who are caring for their children.	Passed Senate with Amendments 2/18/13 Assigned to House Reform and Human Services Committee and Appropriations Committee. House second read: 2/20/13 3/7/13: Recommendation: Do Pass

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
SB 1093 Fact Sheet	Senator J. McComish (REP); Representatives J. Dial (REP); B. Robson (REP)	Disability Placards; Non-profit Organizations Amends or changes the Arizona Revised Statutes related to special license plates.	Passed Senate 2/6/13 Assigned to House Transportation Committee House second read: 2/19/13
SB 1100 Fact Sheet	Senators: K. Yee (REP); K. Hobbs (DEM); L. Landrum Taylor (DEM); L. Lopez (DEM); R. Meza (DEM); L. Pancrazi (DEM); M. Raegan (REP); N. Barto (REP); D. Bradley (DEM); C. Crandell (REP); A Driggs (REP); G. Griffin (REP); S. Pierce (REP); K. Ward (REP)	ASDB; Continuation Continues the Board of Directors of the Arizona State Schools for the Deaf and Blind (ASDB) for 10 years.	Passed Senate 2/6/13 Assigned to House Education Committee. House second read: 2/19/13 Recommendation: Do Pass 2/25/13 3/11/13: Majority Caucus Y; Minority Caucus Y

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
SB1108 Fact Sheet	N. Barto (REP); J. Burges (REP); G. Griffin (REP); L. Landrum Taylor (DEM); R. Murphy (REP); D. Lesko (REP); A. Biggs (REP); D. Bradley (DEM); D. Shooter (REP); K. Ward (REP); S. Yarbrough (REP); K. Yee (REP)	Foster Home Licensure; Immunizations Prohibits DES from requiring a foster parent to immunize the parent's natural or adoptive children as a condition of foster home licensure.	2/20/13: Failed to pass Senate 14-15. 2/21/13 Passed Senate on reconsideration 27-2. Referred to House Reform & Human Services Committee. House second read: 2/26/13 3/7/13 Recommendation: Do Pass

DETAILED INFORMATION

March 15, 2013

Bills Related to Developmental Disability Issues:

HB 2042: ~~TECHNICAL CORRECTION; HOME HEALTH AGENCIES~~
NOW: SCHOOLS; PUPILS WITH DIABETES

Status: **Passed House 3/5/13 with amendments. Assigned to Senate Education Committee and Health & Human Services Committee. Senate second read: 3/7/13. 3/14/13 Recommendation: Do Pass**

Summary: Allows voluntary diabetes care assistants to administer or assist a pupil self-administer insulin in an emergency situation under certain circumstances. Expands the required training provided by a licensed health professional regarding diabetes.

Impact: • To be determined.

HB 2044: ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS); CONTINUATION.

Status: **Passed House 2/5/13. Assigned to Senate Health & Human Services Committee. Senate second read: 2/19/13. Recommendation: Do Pass. 3/5/13 Majority Caucus Y; Minority Caucus Y**

Summary: This law would extend the AHCCCS system for 10 more years to July 1, 2023

Impact: • To be determined.

HB 2045: AHCCCS; HOSPITAL REIMBURSEMENT METHODOLOGY

Status: **Passed House 2/21/13. Assigned to Senate Health & Human Services Committee. Senate second read: 2/27/13.**

Summary: This law changes the way hospitals are paid using a process similar to those established in the Social Security Act. The law would no longer require the legislature to approve new rates.

Impact: • To be determined.

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HB 2047: PUPIL ASSESSMENTS; AIMS TRANSITION

Status: **Passed House with amendments. Assigned to Senate Education Committee and Government and Environment Committee. Senate second read: 2/20/13.**

Summary: AIMS Replacement ☐

Effective July 1, 2014, the Arizona Instrument to Measure Standards (AIMS) test is eliminated and replaced with a competency test adopted by the State Board of Education

Impact: • To be determined.

HB 2066: DEFINITION; ARCHAIC LANGUAGE; REMOVAL

Status: **Passed House. Assigned to Senate Health and Human Services Committee. Senate second read: 2/20/13.
2/27/13 Recommendation: Do Pass**

Summary: Makes various changes to definition sections of statute in order to remove archaic language.

Impact: • To be determined.

HB 2089: AHCCCS; CHRONICALLY ILL CHILDREN

Status: **Passed House 2/28/13. Assigned to Senate Health & Human Services Committee. Senate second read: 3/5/13**

Summary: This law amends or changes a variety of sections of the current statutes related to ACHHS.

This law would include the following actions:

- a) Use a definition of chronic illness or physical disability;
- b) Specify a diagnosis before the age of 21 years of age and whose primary diagnosis is a severe physical condition that requires ongoing medical intervention;
- c) As monies are available – a program will be established for these children that evaluates their needs; gathers statistical information; and sets up service delivery.
- d) A statewide information and referral service to enhance service delivery
- e) Acceptance of federal monies for these services
- f) This program will continue through July 1, 2023.

Impact: • To be determined.

HB 2091: AHCCCS; ORTHOTIC SERVICES; RESTORATION
Status: Passed House 3/6/13. Assigned to Senate Health & Human Services Committee and Appropriations Committee. Senate first read: 3/7/13.

Summary: This law amends or changes services related to the AHCCCS system.

This law restores coverage for orthotic device if it is prescribed; the device is less expensive than other treatment options or surgical procedures and it is medically recognized as the preferred treatment.

Impact: • To be determined.

HB 2144: CHILD PROTECTIVE SERVICES
Status: Passed House 2/28/13. Assigned to Senate Health & Human Services Committee.
Senate second read: 3/5/13. Recommendation: Do Pass with amendments 3/13/13.

Summary: Amends or changes the section of the Arizona Revised Statutes that defines the purpose of this agency to include investigations, safety matters, cooperative work with law enforcement agencies, coordination of permanent solutions on behalf of all children.

Impact: • To be determined.

HB 2158: COURT-ORDERED EVALUATIONS
Status: Passed House 2/28/13. Assigned to Senate Public Safety Committee. Senate second read: 3/5/13. Recommendation: Do Pass 3/13/13.

Summary: This bill is an emergency measure that allows a peace officer (officer) to detain a person who is believed to be a danger based on probable cause, rather than observed behavior (current). It also extends the time period, from twenty-four to forty-eight hours, a person may be detained in custody for emergency admission.

Impact: • To be determined.

HB 2161: LICENSE FEE; SERVICE DOGS; WAIVER

Status: Assigned to Agriculture and Water Committee.
House second read: 1/23/13.

Summary: Amends or changes the language in the Arizona Revised Statutes on the process of animal registration and control.

This law permits the members of the Board of Supervisors of each Arizona County to not charge a person with disability and who uses a service animal. The person with the service dog must provide proof that the dog is a service animal in order to not have to pay a regular fee.

Impact: • To be determined.

HB 2259: VOCATIONAL REHABILITATION; PROSTHETIC APPLIANCES; ORTHODONTICS

Status: Passed House with Amendments 2/26/13. Assigned to Senate Finance Committee. Senate second read: 3/4/13. 3/6/13
Recommendation: Do Pass

Summary: For the purposes of vocational rehabilitation, the definition of "prosthetic appliance" is expanded to include orthodontic appliances.

Impact: • To be determined

HB 2401: SERVICE ANIMAL; DEFINITION.

Status: Passed House 2/26/13. Assigned to Senate Commerce, Energy and Military Committee and Senate Health and Human Services committee. Senate second read: 2/28/13 3/6/13 & 3/13/13 **Recommendation: Do Pass**

Summary: Amends or changes the Arizona Revised Statutes related to the handling of animals. This law clarifies and expands the definition of the term service animal to include an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability including physical, sensory, psychiatric, intellectual or other mental disability. This includes a miniature horse that is individually trained to do work for a disabled individual.

Impact: • To be determined.

HB 2458: EMPOWERMENT SCHOLARSHIP ACCOUNTS; FRAUD PREVENTION

Status: Passed House 2/19/13. Assigned to Senate Education Committee. Senate second read 2/25/13.
2/28/13 Recommendation: Do Pass with amendments.
3/5/13 Majority Caucus Y; Minority Caucus Y

Summary: Outlines additional policies that the Arizona Department of Education (ADE) can adopt to monitor fraudulent activity in Empowerment Scholarship Accounts (ESA) and details what constitutes fraudulent use of an ESA.

Impact: • To be determined.

HB 2476: SCHOOLS; ISOLATION ROOMS; RESTRICTIONS

Status: Passed House 2/26/13. Assigned to Senate Education Committee. Senate second read: 2/28/13
3/7/13 Recommendation: Do Pass with amendments.

Summary: This law amends or changes the Arizona Revised Statutes relating to pupil discipline. It provides for the following actions: beginning in the school year 2013-2014, disciplinary policies for the confinement of pupils left alone in an enclosed space will ensure the criteria for confinement; the size of the room in which the confinement will occur; the maximum number of minutes that the pupil will be physically prevented from exiting the room in which the confinement occurs; the method for monitoring the pupil.

Impact: • To be determined.

SB 1090: DEPENDENT CHILDREN; PLACEMENT; GRANDPARENTS; STIPEND

Status: Passed Senate with amendments 2/18/13. Assigned to House Reform and Human Services Committee and Appropriations Committee.
House second read: 2/20/2013. 3/7/13 Recommendation: Do Pass

Summary: Restores a monthly stipend and other benefits to grandparents and great grandparents who are caring for their children.

Impact: • To be determined.

SB 1093: DISABILITY PLACARDS; NON-PROFIT ORGANIZATIONS

Status: **Passed Senate 2/6/13. Assigned to House Transportation Committee. House second read: 2/19/13.**

Summary: Amends or changes the Arizona Revised Statutes related to special license plates. This law allows the issuance of up to three permanently disabled removable windshield placards to a nonprofit organization that provides assistance to senior citizens.

Impact: • To be determined.

SB 1100: ASDB; CONTINUATION

Status: **Passed Senate. Assigned to House Education Committee. House second read: 2/19/13. Recommendation: Do Pass 2/25/13 3/11/13: Majority Caucus Y; Minority Caucus Y.**

Summary: This law continues the Board of Directors of the Arizona State Schools for the Deaf and Blind (ASDB) for 10 years.

The ASDB was established in 1912 to serve children from birth through age 21. The schools currently serve over 2200 students on three campuses, preschool services and contracted services provided at local schools. The Board continues until July 1, 2023 and there is no anticipated fiscal impact to the general fund.

Impact: • To be determined.

SB 1108: FOSTER HOME LICENSURE; IMMUNIZATIONS

Status: **Assigned to Health and Human Services Committee. 2/20/13: Failed to pass Senate 14-15. 2/21/13: Passed House on re-consideration 27-2. Assigned to House Reform & Human Services Committee. House second read: 2/26/13. 3/7/13 Recommendation: Do Pass**

Summary: This law changes the requirements and condition of foster home licensure.

The Department of Economic Security is prohibited from requiring a foster parent to immunize the parent's natural or adoptive children as a condition of foster home licensure.

Impact: • To be determined.

**SUMMARY OF RESOLUTIONS AND MEMORIALS PASSED/SIGNED
INTO LAW**

- [HCR 2019](#) National Wear Red Day
- [SR 1003](#) Honoring Paul & Lorena Williams
- [HCR2034](#) Arizona Territory; 150th Anniversary